

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

MARK POTTER,

Civil Case No. 09-814-PK

Plaintiff,

O R D E R

v.

THOMAS CROSSWHITE,

Defendant.

Mark W. Potter
Attorney at Law
9200 SE Sunnybrook Blvd., Suite 430
Clackamas, Oregon 97015

Pro Se Plaintiff

Mark E. Griffin
Griffin & McCandlish
215 SW Washington Street, Suite 202
Portland, Oregon 97204

Attorney for Defendant

KING, Judge:

The Honorable Paul Papak, United States Magistrate Judge, filed Findings and Recommendation on July 29, 2010. Plaintiff filed timely objections to the Findings and Recommendation.

When either party objects to any portion of a magistrate's Findings and Recommendation concerning a dispositive motion or prisoner petition, the district court must make a de novo determination of that portion of the magistrate's report. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b); McDonnell Douglas Corp. v. Commodore Business Machines, Inc., 656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920 (1982). This court has, therefore, given de novo review of the rulings of Magistrate Judge Papak.

This court ADOPTS the Findings and Recommendation of Magistrate Judge Papak (#29) dated July 29, 2010 in its entirety.

IT IS HEREBY ORDERED that Crosswhite's Motion to Dismiss (#20) is granted. This action is dismissed.

DATED this 20th day of September, 2010.

/s/ Garr M. King

GARR M. KING
United States District Judge